

To: Mail Stop Issue Fee

From: Ilka Dalton for Gregory C. Ranier

6-29-06 1:40pm p. 2 of 25



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# Fax

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**To:** Mail Stop Issue Fee      **From:** Gregory Ranier

**Fax:** 571.273-2885      **Pages:** 24, including this cover sheet

**Phone:**      **Date:** June 29, 2006

**Our Ref:** 012.P35009      **CC:**

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**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

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Please find attached for filing in connection with application no. 10/049,469, entitled GENERATOR OF REPETITIVE SETS OF SPREAD SPECTRUM SEQUENCES, the following documents:

- Transmittal Form (1 page)
- Issue Fee form PTOL85 (1 page)
- Comments on Statement of Reasons for Allowance (2 pages)
- Response Under 37 CFR 1.312 (5 pages)
- Power of Attorney and Change of Correspondence Address with accompanying documents (5 pages)
- Statement Under 37 CFR 3.73(b) and accompanying documents (9 pages)

### CERTIFICATE OF FACSIMILE TRANSMISSION

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June 29, 2006

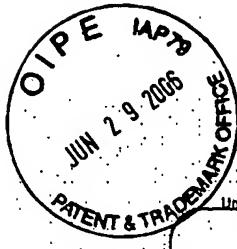
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PTO/SB/21 (08-05)

Approved for use through 08/31/2003. OMB D651-0001

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<b>TRANSMITTAL FORM</b>													
(to be used for all correspondence after initial filing)													
Total Number of Pages in This Submission	23												
<table border="1"> <tr> <td>Application Number</td> <td>10/049,168</td> </tr> <tr> <td>Filing Date</td> <td>02/12/2002</td> </tr> <tr> <td>First Named Inventor</td> <td>Norbert Daniele</td> </tr> <tr> <td>Art Unit</td> <td>2811</td> </tr> <tr> <td>Examiner Name</td> <td>Edith M. Chang</td> </tr> <tr> <td>Attorney Docket Number</td> <td>012/P36008</td> </tr> </table>		Application Number	10/049,168	Filing Date	02/12/2002	First Named Inventor	Norbert Daniele	Art Unit	2811	Examiner Name	Edith M. Chang	Attorney Docket Number	012/P36008
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<b>ENCLOSURES (Check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input checked="" type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.68		
<b>Remarks</b> Issue Fee payment PTO form PTOL-85 (1 page) Comments on Statement of Reasons for Allowance (2 pages) Response Under 37 CFR 1.312 (5 pages) Statement Under 37 CFR 8.73(b) and accompanying documents (9 pages)		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Gregory C. Ranieri, Reg. No. 28,695 Berkeley Law and Technology Group	
Signature	<i>Melody Chanier</i>	
Date	JUN 29, 2006	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Ilka Dalton

Signature

*Ilka Dalton*

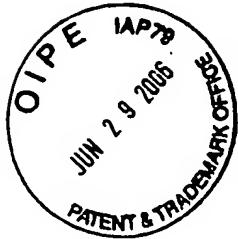
Date

6/29/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office; U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

Inventors: Norbert Daniele Case: 012.P35009  
Serial No.: 10/049,469 Filed: 02/12/2002  
Examiner: Edith M. Chang Group Art Unit: 2611  
Confirmation No: 4112  
Title: GENERATOR OF REPETITIVE SETS OF SPREAD SPECTRUM SEQUENCES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Dear Sir:

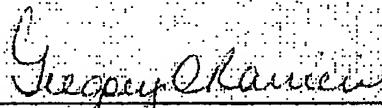
In response to the Notice of Allowance and Examiner's statement of reasons of allowance mailed on March 31, 2006, it is respectfully requested that the following comments be entered in the record of the above-referenced patent application.

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**COMMENTS**

The Examiner's statements of reasons for allowance are hereby acknowledged by Assignee. Assignee agrees that the claimed subject matter is patentably distinct from the documents cited by the Examiner. However, Assignee takes no position regarding the reasons for allowance presented by the Examiner, other than the positions Assignee may have previously taken during prosecution of the above-referenced patent application. Therefore, the Examiner's reasons for allowance should not be attributed to Assignee as an indication of the basis for Assignee's belief that the claims are patentably distinct. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record. While, in accordance with 37 C.F.R. §1.104(e), a failure by the Assignee to disagree with the Examiner or file more detailed comments does not give rise to any implication that the Assignee agrees with or acquiesces in the reasoning of the Examiner, here, by this document, Assignee is expressly making clear that no such agreement or acquiescence is present.

Respectfully submitted,



Gregory C. Rani  
Registration No. 29,695  
Attorney for Assignee

Dated: June 28, 2006  
Customer No. 43831  
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